

AN ACT

relating to the eligibility of an innovation and commercialization organization associated with the Lyndon B. Johnson Space Center to receive funding from the Texas emerging technology fund.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 490.001, Government Code, is amended by adding Subdivision (5) to read as follows:

(5) "Research institution" means:

(A) a public institution of higher education; or

(B) an innovation and commercialization organization associated with the Lyndon B. Johnson Space Center of the National Aeronautics and Space Administration.

SECTION 2. Subsection (a), Section 490.151, Government Code, is amended to read as follows:

(a) Amounts allocated from the fund for use as provided by this subchapter shall be reserved for incentives for private or nonprofit entities to collaborate with research institutions in this state ~~[public]~~ or private institutions of higher education in this state on emerging technology projects with a demonstrable economic benefit to this state.

SECTION 3. Section 490.251, Government Code, is amended to read as follows:

Sec. 490.251. USE OF MONEY FOR ACQUISITION OF RESEARCH SUPERIORITY. Amounts allocated from the fund for use as provided by

1 this subchapter shall be used to acquire new or enhance existing
2 research superiority at research ~~[public]~~ institutions ~~[of higher~~
3 ~~education]~~ in this state.

4 SECTION 4. Section 490.252, Government Code, is amended to
5 read as follows:

6 Sec. 490.252. RESEARCH SUPERIORITY. For purposes of this
7 subchapter, the employment by a research ~~[an]~~ institution ~~[of~~
8 ~~higher education]~~ of one or more world-class or nationally
9 recognized researchers and associated assistants in an industry
10 eligible to receive funding under Section 490.003 is considered
11 "research superiority."

12 SECTION 5. Subsection (a), Section 490.253, Government
13 Code, is amended to read as follows:

14 (a) The committee shall review and consider proposals by
15 research ~~[public]~~ institutions ~~[of higher education]~~ for:

16 (1) creating new research superiority;
17 (2) attracting existing research superiority from
18 institutions not located in this state and other research entities;
19 or

20 (3) enhancing existing research superiority by
21 attracting from outside this state additional researchers and
22 resources.

23 SECTION 6. Subsection (a), Section 490.256, Government
24 Code, is amended to read as follows:

25 (a) A research ~~[An]~~ institution ~~[of higher education]~~ may
26 not knowingly attempt to attract an individual key researcher or
27 research superiority identified for consideration for funding by

1 another research institution in this state or a ~~[public or]~~ private
2 institution of higher education in this state under this
3 subchapter.

4 SECTION 7. Subsection (a), Section 490.257, Government
5 Code, is amended to read as follows:

6 (a) A research ~~[public]~~ institution ~~[of higher education]~~
7 must document specific benefits that this state may expect to gain
8 as a result of attracting the research superiority before the
9 institution may enter into a contract to receive funding or
10 incentives under this subchapter.

11 SECTION 8. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1047 passed the Senate on April 7, 2011, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

I hereby certify that S.B. No. 1047 passed the House on May 20, 2011, by the following vote: Yeas 145, Nays 4, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor